THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No. 11714 OF 2005

23rd September, 2005

Between:-

Kalvala Satyanarayana s/o Ramaiah,

Aged 35 years, occ: Business,

R/o Ganesh Nagar, Godavarikhani,

Ramagundam (M) Karimnagar District …Petitioner

A N D

1. The Mandal Revenue Officer, Manlcherial Mandal,

Adilabad District and another …Respondents

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W.P.No. 11714 OF 2005

ORDER:

1. When W.V.M.P.No. 2215 of 2005 has taken up for hearing, with the consent of both the parties the writ petition itself is taken up for hearing.

2. This writ petition has been filed by Kalvala Satyanarayana questioning the in action of the 1st respondent on the application dated 20-5-2005 submitted by him for

demarcation of his land in Survey No. 58.

3. The petitioner claims that he purchased Ac.5-00 of land in Survey NO. 58 under a registered document dated 17-2-2004. He submitted an application before the Mandal Revenue Officer for mutation of his name in the Revenue Records. The Mandal Revenue Officer allowed the application of the petitioner in part mutating his name in respect of Ac. 2-08 gts. Questioning the order passed by the Mandal Revenue Officer-1st respondent, the 2nd respondent filed an appeal before the Revenue Divisional Officer and the said appeal stated to be pending. While so, the petitioner filed an application before the Mandal Revenue Officer for demarcation of his land. Since no action has been taken on the said application, the petitioner has chosen to approach this Court by invoking jurisdiction under Article 226 of the Constitution of India.

4. Heard the learned counsel for the petitioner and learned Government Pleader appearing for Respondent No.1 and learned standing counsel appearing for Respondent No.2.

5. The learned counsel for the petitioner submits that he filed an application before the 1st respondent for demarcation of his land. However, no action has been taken by the 1st respondent. Therefore, the petitioner approached this Court by invoking jurisdiction under Article 226 of the Constitution of India.

6. The learned standing counsel for 2nd respondent submits that the petitioner has no land and the 2nd respondent questioned the proceedings issued by the Mandal Revenue Officer in mutating the name of the petitioner in respect of Ac. 2-08 gts. in Survey No. 58 by filing an appeal. He further submits that in view of the fact that the appeal filed by the 2nd respondent is pending, no order can be passed directing the Mandal Revenue Officer to demarcate the land of the petitioner.

7. A fact remains that the Mandal Revenue Officer has not passed any order on the application filed by the petitioner for demarcation of his land. If there is any difficulty for Mandal Revenue Officer, the same has to be communicated to the petitioner, so that the petitioner can work out alternative remedy available to him.

8. In that view of the matter, the writ petition is disposed of directing the 1st respondent to consider the application filed by the petitioner for demarcation of the

land and pass appropriate orders within two months from the date of receipt of a copy of this order. The interim order dated 24-5-2005 passed in W.P.M.P.No. 14948 of 2005 is hereby vacated. No order as to costs.

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B.Seshasayana Reddy,J

23rd September, 2005

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